

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

SEP 11 2019

AT BALTIMORE
CLERK, U.S. DISTRICT COURT
DISTRICT OF MARYLANDIN THE MATTER OF THE SEARCH OF
TEN UNITED STATES POSTAL
SERVICE PARCELS LOCATED AT THE
INCOMING MAIL FACILITY IN
LINTHICUM HEIGHTS, MDCase No. 19-2827-SAG ^{mc}

DEPUTY

**AFFIDAVIT IN SUPPORT OF APPLICATION
FOR A SEARCH WARRANT FOR US MAIL PARCELS**

Your Affiant, Christopher Johnson, United States Postal Inspector, Baltimore, MD, being duly sworn, hereby deposes and states as follows:

I. Subject Parcels

1. This is an Affidavit submitted in support of an Application for a Search Warrant for ten (10) subject US Mail Parcels, hereinafter "Subject Parcels," which are described further in Attachment A. The Subject Parcels are currently located at the Incoming Mail Facility, located in Linthicum Heights, Maryland. As described further below, I submit there is probably cause to believe that the Subject Parcels contain evidence, further described in Attachment B, of violations of various federal laws, including 21 U.S.C. §§ 841 (possession with intent to distribute a controlled dangerous substance), 844 (possession of a controlled dangerous substance), and 846 (conspiracy to distribute or possess with intent to distribute a controlled dangerous substance).

The Subject Parcels are identified as follows:

Subject Parcel	Express (E), Priority (P) and (F) First Class Tracking ID number	From: Name and Address	To: Name and Address
1.	(E) EJ 084 990 117 US	B. Smith 3942 Blue Ct. Kalsiville, CA 95451	E. Smith 2216 Cedly St Baltimore, MD 21230

2.	(F) 9500 1161 6225 9231 3614 34	122 Sandra Ave Brandon, FL 33510	Sherman Holbrook 15915 Bloominsfield Dr Rawlings, MD 21557 P.O. Box 329
3.	(E) EE 478 654 942 US	Kevin Fallston 235 S. Vista Bonita Ave Glendora, CA 91741	Melissa Fallston 9316 Indian Trial Way Perry Hall, MD 21128
4.	(P) 9505 5141 0488 9238 3439 49	R. Stewart 3656 Old Arcata Rd SP5 Eureka, CA 95503	T. Arbuckle 6019 Alta Ave Baltimore, MD 21206
5.	(P) 9505 5065 7311 9235 1037 05	Ashley Guidice Reust 1827 S. Grove St Denver, CO 80219	Laura Guidice 4725 Idlewilde Rd Shady Side, MD 20764
6.	(E) EL 848 590 379 US	M. Jackson PO Box 9458 Newport Beach, CA 92658	Ray Gelewski PO Box 306 Elkton, MD 21922
7.	(E) EL 355 903 167 US	John Pham 1504 251 st St Harbor City, CA 90710	Omar Martinez 12307 Braxfield Ct. Apt 10 Rockville, MD 20852
8.	(P) 9505 5143 0893 9238 1597 06	Deborah Fernandez 418 E. 103 rd St Los Angeles, CA 90003	Someya Poverni 2801 Green Lake Cir Baltimore, MD 21209
9.	(E) EL 355 903 153 US	Walter Ramos 1960 240 th St Lomita, CA 90717	Miguel Lopez 11005 Gates Dr Fort Washington, MD 20744
10.	(E) EE 299 192 009 US	Neno's Beauty Supply 3165 Mission St San Francisco, CA 94110	Kimberly Jackson 7926 Lansdale Rd Baltimore, MD 21224

II. Affiant's Training And Experience

2. Your Affiant, Christopher Johnson, has been a United States Postal Inspector since April 2013 and has completed 12 weeks of basic investigative training in Potomac, Maryland,

which included various aspects of federal law enforcement including the investigation of narcotics-related offenses. Your Affiant has participated in interdictions and controlled deliveries related to narcotics investigations. As a result of your Affiant's training and experience, your Affiant is aware that Priority Mail Express and Priority Mail services are regularly used by narcotic traffickers to ship controlled substances and bulk cash through the US Mail.

3. Based upon my training and experience in the field of narcotic interdiction through the mails, I know that there are suspicious characteristics common to many packages that contain narcotics, controlled substances or the proceeds thereof (i.e. U.S. currency). These factors, more fully detailed below, are used to identify packages requiring further investigation. In the case of this search warrant, several of these factors were identified, and the package was alerted to by the drug detection canine. The most common factors or suspicious characteristics routinely observed in the course of screening packages are as follows:

- a. *Contrasts observed between legitimate business parcels and drug parcels:* As an alternative to First Class Mail (which does not provide a customer with the capability to track the progress of a parcel through the system), the US Postal Service offers Priority Mail Express and Priority Mail. Priority Mail Express is guaranteed (money back) to be delivered on a set date and time, usually overnight. (That deadline is determined at the time of mailing.) The customer receives a receipt with this guaranteed information, and the sender can opt for a signature requirement at the other end or not. Customers can track the parcel on line by its distinct Priority Mail Express tracking number. The weight of the package and the distance traveled are the two main factors in setting the price. Priority Mail Express costs more than Priority Mail. Priority Mail has a delivery service standard of 1-3 business days, but delivery within that time period is not guaranteed. Priority Mail is a less expensive alternative to Priority Mail Express, but still provides the ability to track a parcel. Legitimate businesses using Priority

Mail Express typically have a business or corporate account visible on the mailing label, which covers the cost of the mailing. In contrast, the drug distributor will pay for the cost of mailing the package at the counter by using cash or a credit card. Business Priority Mail Express parcels typically weigh no more than 8 ounces, and business Priority Mail parcels typically weigh no more than 2 pounds. Drug packages typically exceed these weights. Address labels on business parcels are typically typed, whereas those on drug packages are typically handwritten. In your Affiant's experience, it is fairly easy to separate out smaller parcels, which constitute 70% to 80% of all Priority Mail Express and Priority Mail parcels, from other, heavier parcels. Typically, drug traffickers use Priority Mail Express, and will opt out of the requirement of obtaining a signature upon delivery.

- b. *Invalid Sender/Return Address:* When drugs are shipped through the mail, the senders generally do not want them back. To distance themselves from parcels containing drugs, often the return addresses and the names of senders are fictitious or false. A fictitious or false address is anything from an incorrect zip code, to a non-existent house number or street. The name of the sender is also typically invalid in one of several ways. Your Affiant has seen packages sent by persons with names of celebrities, cartoon characters, or fictional names. More often a search of a law enforcement database reflects that there is no association between the name of the sender and the address provided.
- c. *Invalid Recipient/Address:* It would be counter-productive to put the wrong receiving address on a package, but often the named recipient is not actually associated with the receiving address. This allows the person receiving the package to claim that they did not know about its contents. Sometimes drug packages are addressed to vacant properties with the expectation that the postal carrier will just leave it at the address. The intended recipient will then retrieve it from that location and hope to remain anonymous.
- d. *Location of Sender:* The fact that a package was sent from narcotics source states such as Arizona, California, Texas, Washington, Colorado, Puerto Rico and

Florida (among others) can also indicate that the parcel contains controlled substances.

- e. *Smell*: The odor of cocaine, marijuana, and methamphetamine are distinct, and through experience postal inspectors are familiar with these odors. On occasion, a parcel will emit an odor that is easily recognized without the assistance of a canine. Other smells that suggest that a parcel may contain narcotics include the aroma of masking agents. Common masking agents used in an attempt to thwart detection by law enforcement and canines typically include dryer sheets, coffee, mustard, and any other substance that releases a strong smell.
- f. *Heavy Taping*: Heavily taped parcels are another factor that will suggest a drug parcel, because narcotics parcels are heavily taped in an effort to keep the smell inside and to forestall easy checking on the interior contents by lifting up a flap. For this reason, your Affiant has also observed excessive glue on the flaps of narcotics parcels as well.
- g. *Click-N-Ship*: The US Postal Service created Click-N-Ship as a service for frequent mailers and businesses who prefer printing address labels and purchasing postage from their residence or business. Drug traffickers create Click-N-Ship accounts as a means of giving a legitimate appearance to their drug mailings. They create the accounts using fictitious account information and often provide pre-paid credit cards as a means of payment, which are difficult to track. Drug traffickers often use legitimate business return addresses in states other than California and Arizona as a means to deter detection, as these other states are not usually considered “source” states for controlled substances. The postage labels are printed/typed, unlike the typical drug related mailing label which is handwritten.

4. It is your Affiant's experience that when these factors are observed, a drug detection canine (K-9) will likely “alert,” next to the parcel, indicating that the dog has detected the presence of narcotics. As a result, these factors become a reliable way to profile the parcels

being shipped every day.

5. The facts contained in this affidavit are based on my personal knowledge as well as that of the other agents involved in this investigation. All observations that were not made personally by me were related to me by persons with knowledge. This affidavit contains that information necessary to establish probable cause to support an application for a search warrant. This affidavit is not intended to include each and every fact and matter observed by or made known to agents of the government.

III. Probable Cause

6. In August 2019, postal inspectors identified the following factors or suspicious characteristics to be present in each of the Subject Parcels:

<i>Subject Parcel Express or Priority</i>	<i>From Source State:</i>	<i>Weight:</i>	<i>Label:</i>	<i>Senders name associated with address? Yes / No</i>	<i>Recipients name associated with address? Yes / No</i>	<i>Canine Alert?</i>
1. Express	Yes – CA	4 lbs 8 ozs	Handwritten	No	No (Last Name Only)	Yes – Ace
2. First Class	Yes – FL	0 lbs 8 ozs	Handwritten	No Name Listed	Yes	Yes – Ace
3. Express	Yes – CA	12 lbs 15 ozs	Handwritten	No	No	Yes – Ace
4. Priority	Yes – CA	22 lbs 3.6 ozs	Handwritten	Yes	Yes	Yes – Ace
5. Priority	Yes – CO	2 lbs 4 ozs	Handwritten	No (Last Name Only)	Yes	Yes – Ace
6. Express	Yes – CA	10 lbs 5 ozs	Typed	No	Yes	Yes – Ace
7. Express	Yes – CA	10 lbs 5 ozs	Handwritten	No	No	Yes – Ace
8. Priority	Yes – CA	3 lbs 11 ozs	Handwritten	Yes	Yes	Yes – Ace

9. Express	Yes- CA	10 lbs 11ozs	Handwritten	No	No (Last Name Only)	Yes – Ace
10. Express	Yes- CA	7 lbs 13 ozs	Handwritten	No	No (Last Name Only)	Yes – Ace

7. The suspicious characteristics listed above were identified while the Subject Parcels were in the mail stream. Therefore, on August 21, 2019, parcel 1 listed above was individually removed from the mail stream. On August 23, 2019, parcel 2 listed above was individually removed from the mail stream. On August 28, 2019, parcels 3-10 listed above were individually removed from the mail stream.

8. At that point, law enforcement used standard protocol for canine detection to determine whether there was probable cause that the Subject Parcels contained narcotics. Specifically, after being removed from the mail stream, each parcel was individually placed in a secure area next to several other empty and unused boxes at the Incoming Mail Facility, Linthicum Heights, Maryland.

9. At that time, one narcotic detection canine “Ace” was brought forward to scan the group of boxes, which included the individual subject parcel and the empty and unused boxes placed around the subject parcel. The handler observed the canine and then informed agents whether the dog alerted on the subject parcel. This process was repeated for each and every subject parcel listed above. The canine handler for “Ace” is Maryland State Police Detective Dave McCarthy. “Ace” was last certified in October 2018 and is trained on the odor of marijuana, hash, cocaine, heroin, methamphetamine, ecstasy, and black tar heroin. Additionally, “Ace” receives monthly recurrent narcotics odor detecting training. This process was repeated for each and every

Subject Parcel listed above.

10. As indicated in the chart, the drug detection dog alerted to the presence of narcotics for each of the ten (10) Subject Parcels.

IV. Conclusion

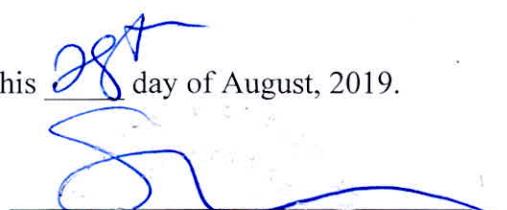
11. By this affidavit and application, your Affiant requests that the Court issue the proposed search warrant authorizing the search and seizure of contents associated with the Subject Parcels described above and in Attachment A.

12. Your Affiant submits that based upon the above indicators reflected in the ten (10) parcels described herein, my training and experience, and the alert of a trained canine on each package, there is probable cause to believe that each of the Subject Parcels, described further in Attachment A, contains narcotics or controlled substances, or the proceeds thereof (i.e. US currency) and/or materials relating to the distribution of controlled substances through the United States Mail, further described in Attachment B.



Christopher Johnson
United States Postal Inspector

Subscribed and sworn to before me this 28 day of August, 2019.



Stephanie A. Gallagher
United States Magistrate Judge

ATTACHMENT A**Items to be Searched**

The following items to be searched are identified as the following parcels, currently located at the Incoming Mail Facility in Linthicum Heights, Maryland:

<i>Subject Parcel</i>	<i>Express (E), Priority (P)and (F) First Class Tracking ID number</i>	<i>From: Name and Address</i>	<i>To: Name and Address</i>
1.	(E) EJ 084 990 117 US	B. Smith 3942 Blue Ct. Kalsiville, CA 95451	E. Smith 2216 Cedly St Baltimore, MD 21230
2.	(F) 9500 1161 6225 9231 3614 34	122 Sandra Ave Brandon, FL 33510	Sherman Holbrook 15915 Bloominsfield Dr Rawlings, MD 21557 P.O. Box 329
3.	(E) EE 478 654 942 US	Kevin Fallston 235 S. Vista Bonita Ave Glendora, CA 91741	Melissa Fallston 9316 Indian Trial Way Perry Hall, MD 21128
4.	(P) 9505 5141 0488 9238 3439 49	R. Stewart 3656 Old Arcata Rd SP5 Eureka, CA 95503	T. Arbuckle 6019 Alta Ave Baltimore, MD 21206
5.	(P) 9505 5065 7311 9235 1037 05	Ashley Guidice Reust 1827 S. Grove St Denver, CO 80219	Laura Guidice 4725 Idlewilde Rd Shady Side, MD 20764
6.	(E) EL 848 590 379 US	M. Jackson PO Box 9458 Newport Beach, CA 92658	Ray Gelewski PO Box 306 Elkton, MD 21922
7.	(E) EL 355 903 167 US	John Pham 1504 251 st St Harbor City, CA 90710	Omar Martinez 12307 Braxfield Ct. Apt 10 Rockville, MD 20852
8.	(P) 9505 5143 0893 9238 1597 06	Deborah Fernandez 418 E. 103 rd St Los Angeles, CA 90003	Someya Poverni 2801 Green Lake Cir Baltimore, MD 21209

9.	(E) EL 355 903 153 US	Walter Ramos 1960 240 th St Lomita, CA 90717	Miguel Lopez 11005 Gates Dr Fort Washington, MD 20744
10.	(E) EE 299 192 009 US	Neno's Beauty Supply 3165 Mission St San Francisco, CA 94110	Kimberly Jackson 7926 Lansdale Rd Baltimore, MD 21224

ATTACHMENT B
Things to Be Seized

All documents and materials constituting evidence of violations of 21 U.S.C. §§ 841, 844, and 846, including the following:

1. Controlled dangerous substances;
2. Drug trafficking paraphernalia;
3. United States currency;
4. Records related to narcotics suppliers, customers, and co-conspirators, and related identifying information;
5. Types, amounts, and prices of controlled dangerous substances trafficked as well as dates, places, and amounts of specific transactions;
6. Any information related to sources of controlled dangerous substances (including names, addresses, phone numbers, or any other identifying information); and
7. Indicia of possession, custody, or control.